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JUL 20 2005

In re Application : **OFFICE OF PETITIONS**
Staker, et al. :
Application No. 10/080,064 : PATENT TERM ADJUSTMENT
Filed: February 19, 2002 :
Dkt. No.: 020974-10.00US :

This is a decision on the "APPLICATION FOR PATENT TERM ADJUSTMENT CORRECTION," filed April 1, 2005. This matter is being treated under 37 CFR 1.705(b) as an application for Patent Term Adjustment.

Applicants argue that the Office will have failed to issue a patent within four months from the date upon which the issue fee payment was submitted on April 28, 2003 in accordance with 37 CFR 1.702(a)(4).

Applicants are advised that decision on the instant request for reconsideration of patent term adjustment ("PTA") under 37 C.F.R. § 1.705(b) is hereby held in abeyance subject to an issuance date being set by the Office of Patent Publications at which time the PTA will be routinely recalculated.

Applicants are further advised to submit a letter to the Office within two months of the issuance of the patent if, at the time of issuance of the patent, the appropriate adjustment under 37 C.F.R. § 1.702(a)(4) has not been accorded.

In view thereof, at the time of Notice of Allowance the application is entitled to a patent term adjustment of 0 days.

The Office acknowledges receipt of the required application fee of \$200.00. No additional fee will be required if applicant is solely requesting reconsideration of additional time related to failing to issue the patent within four months of submission of issue fee payment in accordance with 37 CFR 1.702(a)(4).

This application is being forwarded to the Office of Patent Publication for processing into a patent.

Telephone inquiries specific to this matter should be directed to Petitions Attorney Alesia M. Brown at (571) 272-3205.

Karin Ferriter
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